

RESOLUTION 2011 - 074

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LA QUINTA, CALIFORNIA, GRANTING APPROVAL OF
TENTATIVE TRACT MAP 36279, DIVIDING ± 9.14 ACRES
INTO ELEVEN SINGLE-FAMILY LOTS**

**CASE NO: TTM 36279
APPLICANT: PEDCOR COMMERCIAL DEVELOPMENT**

WHEREAS, the City Council of the City of La Quinta, California, did, on the 2nd day of August, 2011, conduct a duly-noticed Public Hearing to consider a recommendation from the Planning Commission on Tentative Tract Map 36279, a request to subdivide ± 9.14 acres into eleven single-family residential lots and certain lettered lots, located at the southwest corner of Madison Street and Avenue 51 (Vista Bonita Trail), more particularly described as:

BEING PARCELS 1, 2, A PORTION OF PARCEL 3,
AND PORTIONS OF LOTS B, C, AND D OF PM 16457,
MAP BOOK 100, PAGE 48 OF MAPS, RIVERSIDE COUNTY

WHEREAS, the Planning Commission of the City of La Quinta, California, did, on the 12th day of July, 2011, conduct a duly-noticed Public Hearing, to make a recommendation of approval to the City Council on Tentative Tract Map 36279, said recommendation being included in the staff report for consideration by the City Council; and,

WHEREAS, the Historic Preservation Commission of the City of La Quinta, California, did, on the 20th day of January, 2011, hold a public meeting to review and provide archaeological and paleontological recommendations, with the minutes of said meeting being included in the staff report for consideration by the City Council; and,

WHEREAS, the La Quinta Planning Department has prepared Environmental Assessment 2010-608, and has determined that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures incorporated into the project approval will mitigate or reduce any potential impacts to a level of non-significance; and,

WHEREAS, the Planning Department published a City Council public hearing notice for this request in The Desert Sun newspaper on July 22, 2011, as prescribed by the La Quinta Municipal Code, with public hearing notices also having been mailed to all property owners within 500 feet of the site; and

WHEREAS, at said City Council Public Hearing, upon hearing and considering all testimony and arguments, if any, of all interested persons wanting to be heard, said City Council did make the following findings to justify their approval of Tentative Tract 36279:

1. The proposed Tentative Tract Map 36279 is consistent with the City's General Plan, with the implementation of Conditions of Approval. The project density of 1.2 units per acre is consistent with the adopted Very-Low Density Residential land use designation of up to two dwelling units per acre, as set forth in the General Plan.
2. The design and improvements of the proposed Tentative Tract Map 36279 are consistent with the City's General Plan, to provide for adequate storm water drainage, and other infrastructure improvements with the implementation of recommended conditions of approval to ensure proper street widths, perimeter walls, storm drainage facilities, and timing of their construction.
3. The La Quinta Planning Department has prepared Environmental Assessment 2010-608. Based on this Assessment, the Planning Director has determined that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures incorporated into the project approval will mitigate or reduce any potential impacts to a level of non-significance. A pre-construction survey will be conducted for burrowing owl species, the only species of concern identified for this site. Monitoring for potential paleontological resources will be required. A perimeter block wall requirement will address the potential for noise impacts. A Mitigation Monitoring Program (MMP) has been prepared and is recommended for certification with said Environmental Assessment.
4. The design of Tentative Tract Map 36279 and type of improvements are not likely to cause serious public health problems, in that this issue was considered in Environmental Assessment 2010-608, in which no significant health or safety impacts were identified for the proposed project.
5. As conditioned, the design of Tentative Tract Map 36279 and type of improvements, will not conflict with easements, acquired by the public-at-large, for access through, or use of property within the proposed subdivision. A reciprocal access agreement has been provided for drainage and roadway improvements affecting the proposed tentative map and the adjacent approved Tentative Tract Map 33085.
6. The site for Tentative Tract Map 36279 is physically suitable for the proposed subdivision, as natural slopes do not exceed 20%, and there are no identified geological constraints on the property that would prevent development pursuant to the geotechnical study prepared for the proposed subdivision.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of La Quinta, California, as follows:

1. That the above recitations are true and constitute the findings of the City

Council in this case;

2. That it does hereby require compliance with those mitigation measures specified by the Mitigation Monitoring Program of Environmental Assessment 2011-608, prepared for Tentative Tract Map 36279;
3. That it does hereby grant approval of Tentative Tract Map 36279, for the reasons set forth in this Resolution and subject to the attached Conditions of Approval.

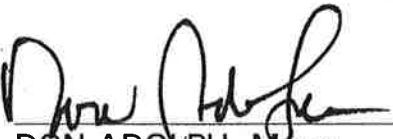
PASSED, APPROVED and ADOPTED at a regular meeting of the La Quinta City Council, held on this 2nd day of August, 2011, by the following vote to wit:

AYES: Council Members Evans, Franklin, Henderson, Sniff, Mayor Adolph

NOES: None

ABSENT: None

ABSTAIN: None


DON ADOLPH, Mayor
City of La Quinta, California

ATTEST:


VERONICA J. MONTECINO, CMC, City Clerk
City of La Quinta, California

(City Seal)

APPROVED AS TO FORM:


M. KATHERINE JENSON, City Attorney

CONDITIONS OF APPROVAL

GENERAL

1. The applicant agrees to defend, indemnify and hold harmless the City of La Quinta ("City"), its agents, officers and employees from any claim, action or proceeding to attack, set aside, void, or annul the approval of this Tentative Tract Map, or any Final Map recorded thereunder. The City shall have sole discretion in selecting its defense counsel, and shall promptly notify the applicant of any claim, action or proceeding and shall cooperate fully in the defense.
2. This Tentative Tract Map, and any Final Map recorded thereunder, shall comply with the requirements and standards of Government Code §§ 66410 through 66499.58 (the "Subdivision Map Act"), and Chapter 13 of the La Quinta Municipal Code ("LQMC"). This Tentative Tract Map shall expire two years from the date of City Council approval, unless recorded or granted a time extension pursuant to Title 13 of the La Quinta Municipal Code (§13.12.160; Extensions of Time for Tentative Maps). The two year time period shall be tolled during the pendency of any lawsuit that may be filed, challenging this Tentative Tract Map and/or the City's CEQA compliance.

The City of La Quinta's Municipal Code can be accessed on the City's Web Site at www.la-quinta.org.

3. Tentative Tract 36279 shall comply with all applicable mitigation measures as adopted under Environmental Assessment 2010-608.
4. Prior to the issuance of any grading, construction, or building permit by the City, the applicant shall obtain any necessary clearances and/or permits from the following agencies, if required:
 - Riverside County Fire Marshal
 - Public Works Department (Grading Permit, Green Sheet (Public Works Clearance) for Building Permits, Water Quality Management Plan (WQMP) Exemption Form – Whitewater River Region, Improvement Permit)
 - Planning Department
 - Riverside Co. Environmental Health Department
 - Coachella Valley Unified School District (CVUSD)
 - Coachella Valley Water District (CVWD)

- Imperial Irrigation District (IID)
- California Regional Water Quality Control Board (CRWQCB)
- State Water Resources Control Board
- SunLine Transit Agency (SunLine)
- South Coast Air Quality Management District Coachella Valley (SCAQMD)

The applicant is responsible for all requirements of the permits and/or clearances from the above listed agencies. When these requirements include approval of improvement plans, the applicant shall furnish proof of such approvals when submitting those improvements plans for City approval.

5. A California Construction General Permit must be obtained by the applicant; who then shall submit a copy of the Regional Water Quality Control Board's ("RWQCB") acknowledgment of the applicant's Notice of Intent ("NOI") and Waste Discharger Identification (WDID) number, prior to the issuance of a grading or building permit by the City.
6. The applicant shall comply with applicable provisions of the City's National Pollutant Discharge Elimination System (NPDES) stormwater discharge permit, LQMC Sections 8.70.010 et seq. (Stormwater Management and Discharge Controls), and 13.24.170 (Clean Air/Clean Water); Riverside County Ordinance No. 457; the California Regional Water Quality Control Board – Colorado River Basin Region Board Order No. R7-2008-0001 and the State Water Resources Control Board's Order No. 2009-0009-DWQ and Order No. 2010-0014-DWQ.
 - A. For construction activities including clearing, grading or excavation of land that disturbs one (1) acre or more of land, or that disturbs less than one (1) acre of land, but which is a part of a construction project that encompasses more than one (1) acre of land, the Permittee shall be required to submit a Storm Water Pollution Protection Plan ("SWPPP") to the State Water Resources Control Board.

The applicant or design professional can obtain the California Stormwater Quality Association SWPPP template at www.cabmphandbooks.com for use in their SWPPP preparation.
 - B. The applicant shall ensure that the required SWPPP is available for inspection at the project site at all times through and including acceptance of all improvements by the City.

- C. The applicant's SWPPP shall include provisions for all of the following Best Management Practices ("BMPs") (LQMC Section 8.70.020 (Definitions)):
 - 1) Temporary Soil Stabilization (erosion control).
 - 2) Temporary Sediment Control.
 - 3) Wind Erosion Control.
 - 4) Tracking Control.
 - 5) Non-Storm Water Management.
 - 6) Waste Management and Materials Pollution Control.
 - D. All erosion and sediment control BMPs proposed by the applicant shall be approved by the City Engineer prior to any onsite or offsite grading, pursuant to this project.
 - E. The SWPPP and BMPs shall remain in effect for the entire duration of project construction until all improvements are completed and accepted by the City Council.
 - F. The inclusion in the Master HOA Conditions, Covenants, and Restrictions (CC&Rs), a requirement for the perpetual maintenance and operation of all post-construction BMPs as required.
- 7. Approval of this Tentative Tract Map shall not be construed as approval for any horizontal dimensions implied by any site plans or exhibits unless specifically identified in the following conditions of approval.
 - 8. Developer shall reimburse the City, within thirty (30) days of presentment of the invoice, all costs and actual attorney's fees incurred by the City Attorney to review, negotiate and/or modify any documents or instruments required by these conditions, if Developer requests that the City modify or revise any documents or instruments prepared initially by the City to effect these conditions. This obligation shall be paid in the time noted above without deduction or offset and Developer's failure to make such payment shall be a material breach of the Conditions of Approval.
 - 9. Developer shall reimburse the City, within thirty (30) days of presentment of the invoice, all costs and actual consultant's fees incurred by the City for

engineering and/or surveying consultants to review and/or modify any documents or instruments required by this project. This obligation shall be paid in the time noted above without deduction or offset and Developer's failure to make such payment shall be a material breach of the Conditions of Approval.

PROPERTY RIGHTS

10. Prior to issuance of any permit(s), the applicant shall acquire or confer easements and other property rights necessary for the construction or proper functioning of the proposed development. Conferred rights shall include irrevocable offers to dedicate or grant access easements to the City for emergency services and for maintenance, construction and reconstruction of essential improvements.
11. Pursuant to the aforementioned condition, conferred rights shall include approvals from the master developer or the HOA over easements and other property rights necessary for construction and proper functioning of the proposed development not limited to access rights over proposed and/or existing private streets that access public streets and open space/drainage facilities of the master development.
12. The applicant shall offer for dedication on the Final Map all public street rights-of-way in conformance with the City's General Plan, Municipal Code, applicable specific plans, and/or as required by the City Engineer.
13. The public street right-of-way offers for dedication required for this development include:
 - A. PUBLIC STREETS
 - 1) Madison Street (Primary Arterial, Option A 110' ROW) – The standard 55 feet from the centerline of Madison Street for a total 110-foot ultimate developed right of way.
14. The applicant shall retain for private use on the Final Map all private street rights-of-way in conformance with the City's General Plan, Municipal Code, applicable specific plans, and/or as required by the City Engineer.
15. The private street rights-of-way to be retained for private use required for this development include:

A. PRIVATE STREETS

- 1) Property line shall be placed at the back of curb similar to the lay out shown on the preliminary grading plan/tentative map and the typical street section shown in the tentative map. Use of smooth curves instead of angular lines at property lines is recommended.
- 2) Beth Circle – 60 foot right of way with two minimum 20' lanes and a raised median as shown on the Tentative Tract Map.
- 3) Private Street "E" – 62 foot right of way with two minimum 20' lanes and a raised median as shown on the Tentative Tract Map.

B. CUL DE SACS

- 1) Cul-de-sac, 50' Right-of-Row (ROW) at the Cul-de-sac bulb.

16. Right-of-way geometry for standard knuckles and property line corner cut-backs at curb returns shall conform to Riverside County Standard Drawings #801, and #805, respectively, unless otherwise approved by the City Engineer.

17. Dedications shall include additional widths as necessary for dedicated right and left turn lanes, bus turnouts, and other features contained in the approved construction plans.

Pursuant to this requirement, the Applicant shall include in the submittal packet containing the draft final map submitted for map checking, an offsite street geometric layout, drawn at 1" equals 40 feet, detailing the following design aspects: median curb line, outside curb line, lane line alignment including lane widths, left turn lanes, deceleration lane(s) and bus stop turnout(s). The geometric layout shall be accompanied with sufficient professional engineering studies to confirm the appropriate length of all proposed turn pockets and auxiliary lanes that may impact the right of way dedication required of the project and the associated landscape setback requirement

18. When the City Engineer determines that access rights to the proposed street rights-of-way shown on the approved Tentative Tract Map are necessary prior to approval of the Final Map dedicating such rights-of-way, the applicant shall grant the necessary rights-of-way within 60 days of a written request by the City.

19. The applicant shall offer for dedication on the Final Map a ten-foot wide public

utility easement contiguous with, and along both sides of all private streets. Such easement may be reduced to five feet in width with the express written approval of IID.

20. The applicant shall create perimeter landscaping setbacks along all public rights-of-way as follows:

- A. Madison Street (Primary Arterial) - 20-foot from the R/W-P/L.

The listed setback depth shall be the average depth where a meandering wall design is approved.

The setback requirements shall apply to all frontages including, but not limited to, remainder parcels and sites dedicated for utility purposes.

Where public facilities (e.g., sidewalks) are placed on privately-owned setbacks, the applicant shall offer for dedication blanket easements for those purposes on the Final Map.

21. The applicant shall offer for dedication those easements necessary for the placement of, and access to, utility lines and structures, drainage basins, mailbox clusters, park lands, and common areas on the Final Map.
22. Direct vehicular access to Madison Street from lots with frontage along Madison Street is restricted, except for those access points identified on the tentative tract map, or as otherwise conditioned in these conditions of approval. The vehicular access restriction shall be shown on the recorded final tract map.
23. The applicant shall furnish proof of easements, or written permission, as appropriate, from those owners of all abutting properties on which grading, retaining wall construction, permanent slopes, or other encroachments will occur.
24. When an applicant proposes the vacation, or abandonment, of any existing right-of-way, or access easement, *the recordation of the tract map is subject to the* Applicant providing an alternate right-of-way or access easement, to those properties, or notarized letters of consent from the affected property owners.
25. The applicant shall cause no easement to be granted, or recorded, over any portion of the subject property between the date of approval of the Tentative Tract Map and the date of recording of any Final Map, unless such easement is

approved by the City Engineer.

STREET AND TRAFFIC IMPROVEMENTS

26. The applicant shall comply with the provisions of La Quinta Municipal Code (LQMC) Sections 13.24.060 (Street Improvements), 13.24.070 (Street Design - Generally) & 13.24.100 (Access for Individual Properties and Development) for public streets; and Section 13.24.080 (Street Design - Private Streets), where private streets are proposed.
27. Streets shall have vertical curbs or other approved curb configurations that will convey water without ponding, and provide lateral containment of dust and residue during street sweeping operations. If a wedge or rolled curb design is approved, the lip at the flowline shall be near vertical with a 1/8" batter and a minimum height of 0.1'. Unused curb cuts on any lot shall be restored to standard curb height prior to final inspection of permanent building(s) on the lot.
28. The applicant shall construct the following street improvements to conform with the General Plan (street type noted in parentheses):

A. OFF-SITE STREETS

1) Madison Street (Primary Arterial) - 110' R/W:

Widen the west side of the street along all frontage adjacent to the Tentative Map boundary to its ultimate width on the west side as specified in the General Plan and the requirements of these conditions. Rehabilitate and/or reconstruct existing roadway pavement as necessary to augment and convert it from a rural county-road design standard to La Quinta's urban arterial design standard. The west curb face shall be located forty-three feet (43') west of the centerline. Interim improvements shall be designed and constructed as approved by the City Engineer.

Other required improvements in the Madison Street right-of-way and/or adjacent landscape setback area include:

- a) All appurtenant components such as, but not limited to: curb, gutter, traffic control striping, legends, and signs.
- b) A 10-foot wide Multi-Use Path. The applicant shall construct a multi-use path per La Quinta Standard 260 along the

Madison Street frontage within the landscaped setback. The path surface shall be a binding, stabilized decomposed granite as approved by the City Engineer. Multi-Use Path boundaries shall be delineated by a 4-inch wide concrete border between the path and adjacent landscaping. The location and design of the path shall be approved by the City. A split-rail fence shall be constructed along the roadway side of the multi-use path in accordance with Section 9.140.060 (Item E, 3a) of the Zoning Ordinance. Bonding for the fence to be installed shall be posted prior to final map approval. At-grade intersection crossings shall be of a medium, design and location as approved by the Engineering Department on the street improvement plan submittal.

Improvements in the Madison Street right-of-way eligible for reimbursement from the City's Development Impact Fee fund in accordance with policies established for that program:

- c) Half-width of an 18-foot wide raised landscaped median along the entire frontage of the Tentative Tract Map.

The applicant shall extend improvements beyond the subdivision boundaries to ensure they safely integrate with existing improvements (e.g., grading; traffic control devices and transitions in alignment, elevation or dimensions of streets and sidewalks).

B. PRIVATE STREETS

- 1) Beth Circle – Construct full improvements within a 60-foot right-of-way, which shall be divided into two minimum 20' traveled lanes with a center landscaped median (Entry Street) as approved by the City Engineer.
- 2) Private Street "E" – Construct full improvements within a 62-foot right-of-way, which shall be divided into two minimum 20' traveled lanes with a center landscaped median as approved by the City Engineer.
- 3) The location of driveways of corner lots shall not be located within

the curb return and away from the intersection when possible.

C. PRIVATE CUL DE SACS

- 1) Private Cul-de-sacs shall be constructed to Riverside County Standard 800 for symmetrical Cul-de-sacs and Standard 800A for offset Cul-de-sacs, and both shall be constructed with a 50-foot curb radius, measured gutter flow-line to gutter flow-line.

29. All gated entries shall provide for a three-car minimum stacking capacity for inbound traffic to be a minimum length of 62 feet from call box to the street; and shall provide for a full turn-around outlet for non-accepted vehicles, or as approved by the City Engineer.

Where a gated entry is proposed, the applicant shall submit a detailed exhibit at a scale of 1" = 10', demonstrating that those passenger vehicles that do not gain entry into the development can safely make a full turn-around (minimum radius to be 24 feet) out onto the main street from the gated entry. Pursuant to said condition, there shall be a minimum of twenty five feet width provided at the turn-around opening provided.

Two lanes of traffic shall be provided on the entry side of each gated entry, one lane shall be dedicated for residents and one lane for visitors. The two travel lanes shall be a minimum of 20 feet of total paved roadway surface or as approved by the Fire Department.

Entry drives, main interior circulation routes, standard knuckles, corner cutbacks, bus turnouts, dedicated turn lanes and other features shown on the approved construction plans, may require additional street widths as may be determined by the City Engineer.

30. The applicant shall design street pavement sections using CalTrans' design procedure for 20-year life pavement, and the site-specific data for soil strength and anticipated traffic loading (including construction traffic). Minimum structural sections shall be as follows:

Residential	3.0" a.c./4.5" c.a.b.
Collector	4.0" a.c./5.0" c.a.b.
Secondary Arterial	4.0" a.c./6.0" c.a.b.
Primary Arterial	4.5" a.c./6.0" c.a.b.

or the approved equivalents of alternate materials.

31. The applicant shall submit current mix designs (less than two years old at the time of construction) for base, asphalt concrete and Portland cement concrete. The submittal shall include test results for all specimens used in the mix design procedure. For mix designs over six months old, the submittal shall include recent (less than six months old at the time of construction) aggregate gradation test results confirming that design gradations can be achieved in current production. The applicant shall not schedule construction operations until mix designs are approved.
32. General access points and turning movements of traffic are limited to the following:

Primary Entry (Beth Circle): Right turn in, right turn out, and left turn in only. Left out turning movement is prohibited.
33. Improvements shall include appurtenances such as traffic control signs, markings and other devices, raised medians if required, street name signs and sidewalks. Mid-block street lighting is not required.
34. Improvements shall be designed and constructed in accordance with City adopted standards, supplemental drawings and specifications, or as approved by the City Engineer. Improvement plans for streets, access gates and parking areas shall be stamped and signed by qualified engineers.
35. Standard knuckles and corner cut-backs shall conform to Riverside County Standard Drawings #801 and #805, respectively, unless otherwise approved by the City Engineer.

FINAL MAPS

36. Prior to the City's approval of a Final Map, the applicant shall furnish accurate mylars of the Final Map that were approved by the City's map checker on a storage media acceptable to the City Engineer. The Final Map shall be 1" = 40' scale.

IMPROVEMENT PLANS

As used throughout these Conditions of Approval, professional titles such as "engineer," "surveyor," and "architect," refers to persons currently certified or licensed to practice their respective professions in the State of California.

37. Improvement plans shall be prepared by or under the direct supervision of qualified engineers and/or architects, as appropriate, and shall comply with the provisions of LQMC Section 13.24.040 (Improvement Plans).
38. The following improvement plans shall be prepared and submitted for review and approval by the Public Works Department. A separate set of plans for each line item specified below shall be prepared. The plans shall utilize the minimum scale specified, unless otherwise authorized by the City Engineer in writing. Plans may be prepared at a larger scale if additional detail or plan clarity is desired. Note, the applicant may be required to prepare other improvement plans not listed here pursuant to improvements required by other agencies and utility purveyors.
- A. On-Site Rough Grading Plan 1" = 40' Horizontal
 - B. PM10 Plan 1" = 40' Horizontal
 - C. WQMP (Plan submitted in Report Form)

NOTE: A through C to be submitted concurrently.

- D. Off-Site Street Improvement/Storm Drain Plan
1" = 40' Horizontal, 1" = 4' Vertical
- E. Off-Site Signing & Striping Plan 1" = 40' Horizontal
The Off-Site street improvement plans shall have separate plan sheet(s) (drawn at 20 scale) that show the meandering sidewalk, mounding, and berming design in the combined parkway and landscape setback area.
- F. On-Site Street Improvements/Signing & Striping/Storm Drain Plan
1" = 40' Horizontal, 1" = 4' Vertical

NOTE: D through F to be submitted concurrently.

(Separate Storm Drain Plans if applicable)

The following plans shall be submitted to the Building and Safety Department for review and approval. The plans shall utilize the minimum scale specified, unless otherwise authorized by the Building and Safety Director in writing. Plans may be prepared at a larger scale if additional detail or plan clarity is desired. Note the applicant may be required to prepare other improvement plans not listed here pursuant to improvements required by other agencies and utility purveyors.

G. On-Site Residential Precise Grading Plan 1" = 30' Horizontal

Other engineered improvement plans prepared for City approval that are not listed above shall be prepared in formats approved by the City Engineer prior to commencing plan preparation.

All Off-Site Plan & Profile Street Plans and Signing & Striping Plans shall show all existing improvements for a distance of at least 200-feet beyond the project limits, or a distance sufficient to show any required design transitions.

All On-Site Signing & Striping Plans shall show, at a minimum; Stop Signs, Limit Lines and Legends, No Parking Signs, Raised Pavement Markers (including Blue RPMs at fire hydrants) and Street Name Signs per Public Works Standard Plans and/or as approved by the Engineering Department.

"Rough Grading" plans shall normally include perimeter walls with Top Of Wall & Top Of Footing elevations shown. All footings shall have a minimum of 1-foot of cover, or sufficient cover to clear any adjacent obstructions.

The applicant shall prepare an accessibility assessment on a marked up print of the building floor plan identifying every building egress and notes the 2010 California Building Code accessibility requirements associated with each door. The assessment must comply with submittal requirements of the Building & Safety Department. A copy of the reviewed assessment shall be submitted to the Public Works Department in conjunction with the Site Development Plan when it is submitted for plan checking.

39. The City maintains standard plans, detail sheets and/or construction notes for elements of construction which can be accessed via the "Plans, Notes and Design Guidance" section of the Public Works Department at the City website (www.la-quinta.org). Please navigate to the Public Works Department home page and look for the Standard Drawings hyperlink.
40. The applicant shall furnish a complete set of all approved improvement plans on a storage media acceptable to the City Engineer (currently mylars).
41. Upon completion of construction, and prior to final acceptance of the improvements by the City, the applicant shall furnish the City with reproducible record drawings of all improvement plans which were approved by the City. Each sheet shall be clearly marked "Record Drawing" and shall be stamped and signed by the engineer or surveyor certifying to the accuracy and completeness of the drawings. The applicant shall have all approved mylars previously submitted to the City, revised to reflect the as-built conditions. The applicant

shall employ or retain the Engineer Of Record during the construction phase of the project so that the EOR can make site visits in support of preparing "Record Drawing". However, if subsequent approved revisions have been approved by the City Engineer and reflect said "Record Drawing" conditions, the Engineer Of Record may submit a letter attesting to said fact to the City Engineer in lieu of mylar submittal.

IMPROVEMENT SECURITY AGREEMENTS

42. Prior to approval of any Final Map, the applicant shall construct all on and off-site improvements and satisfy its obligations for same, or shall furnish a fully secured and executed Subdivision Improvement Agreement ("SIA") guaranteeing the construction of such improvements and the satisfaction of its obligations for same, or shall agree to any combination thereof, as may be required by the City.
43. Any Subdivision Improvement Agreement ("SIA") entered into by and between the applicant and the City of La Quinta, for the purpose of guaranteeing the completion of any improvements related to this Tentative Tract Map, shall comply with the provisions of LQMC Chapter 13.28 (Improvement Security).
44. Improvements to be made, or agreed to be made, shall include the removal of any existing structures or other obstructions which are not a part of the proposed improvements; and shall provide for the setting of the final survey monumentation.
45. Depending on the timing of the development of this Tentative Tract Map, and the status of the off-site improvements at the time, the applicant may be required to:
 - A. Construct certain off-site improvements.
 - B. Construct additional off-site improvements, subject to the reimbursement of its costs by others.
 - C. Reimburse others for those improvements previously constructed that are considered to be an obligation of this tentative tract map.
 - D. Secure the costs for future improvements that are to be made by others.
 - E. To agree to any combination of these actions, as the City may require.

Off-Site Improvements should be completed on a first priority basis. The applicant shall complete Off-Site Improvements in the first phase of construction or by the issuance of the 3rd Residential Building Permit (11 lots total).

In the event that any of the improvements required for this development are constructed by the City, the applicant shall, prior to the approval of the Final Map, or the issuance of any permit related thereto, reimburse the City for the costs of such improvements.

46. If the applicant elects to utilize the secured agreement alternative, the applicant shall submit detailed construction cost estimates for all proposed on-site and off-site improvements, including an estimate for the final survey monumentation, for checking and approval by the City Engineer. Such estimates shall conform to the unit cost schedule as approved by the City Engineer.

At the time the applicant submits its detailed construction cost estimates for conditional approval of the Final Map by the City Council, the applicant shall also submit one copy each of an 8-1/2" x 11" reduction of each page of the Final Map, along with a copy of an 8-1/2" x 11" Vicinity Map.

Estimates for improvements under the jurisdiction of other agencies shall be approved by those agencies and submitted to the City along with the applicant's detailed cost estimates.

Security will not be required for telephone, natural gas, or Cable T.V. improvements.

47. Should the applicant fail to construct the improvements for the development, or fail to satisfy its obligations for the development in a timely manner, the City shall have the right to halt issuance of building permits, and/or final building inspections, withhold other approvals related to the development of the project, or call upon the surety to complete the improvements.

GRADING

48. The applicant shall comply with the provisions of LQMC Section 13.24.050 (Grading Improvements).
49. Prior to occupancy of the project site for any construction, or other purposes, the applicant shall obtain a grading permit approved by the City Engineer.
50. To obtain an approved grading permit, the applicant shall submit and obtain

approval of all of the following:

- A. A grading plan prepared by a civil engineer registered in the State of California,
- B. A preliminary geotechnical ("soils") report prepared by an engineer registered in the State of California,
- C. A Fugitive Dust Control Plan prepared in accordance with LQMC Chapter 6.16, (Fugitive Dust Control), and
- D. A Best Management Practices report prepared in accordance with LQMC Sections 8.70.010 and 13.24.170 (NPDES Stormwater Discharge Permit and Storm Management and Discharge Controls).
- E. WQMP prepared by an engineer registered in the State of California.

All grading shall conform with the recommendations contained in the Preliminary Soils Report, and shall be certified as being adequate by soils engineer, or engineering geologist registered in the State of California.

A statement shall appear on the Final Map that a soils report has been prepared in accordance with the California Health & Safety Code § 17953.

The applicant shall furnish security, in a form acceptable to the City, and in an amount sufficient to guarantee compliance with the approved Fugitive Dust Control Plan provisions as submitted with its application for a grading permit. Additionally, the applicant shall replenish said security if expended by the City of La Quinta to comply with the Plan as required by the City Engineer.

- 51. The applicant shall maintain all open graded, undeveloped land in order to prevent wind and/or water erosion of such land. All open graded, undeveloped land shall either be planted with interim landscaping, or stabilized with such other erosion control measures, as were approved in the Fugitive Dust Control Plan.
- 52. Grading within the perimeter setback and parkway areas shall have undulating terrain and shall conform with the requirements of LQMC Section 9.60.240(F) except as otherwise modified by this condition. The maximum slope shall not exceed 3:1 anywhere in the landscape setback area, except for the backslope (i.e. the slope at the back of the landscape lot) which shall not exceed 2:1 if fully planted with ground cover. The maximum slope in the first six (6) feet

adjacent to the curb shall not exceed 4:1 when the nearest edge of sidewalk is within six (6) feet of the curb, otherwise the maximum slope within the right of way shall not exceed 3:1. All unpaved parkway areas adjacent to the curb shall be depressed one and one-half inches (1.5") in the first eighteen inches (18") behind the curb.

53. Building pad elevations on the rough grading plan submitted for City Engineer's approval shall conform with pad elevations shown on the tentative map, unless the pad elevations have other requirements imposed elsewhere in these Conditions of Approval.
54. Building pad elevations of perimeter lots shall not differ by more than one foot higher from the building pads in adjacent developments.
55. The applicant shall minimize the differences in elevation between the adjoining properties and the lots within this development. Where compliance within the above stated limits is impractical, the City may consider alternatives that are shown to minimize safety concerns, maintenance difficulties and neighboring-owner dissatisfaction with the grade differential.
56. Prior to any site grading or regrading that will raise or lower any portion of the site by more than plus or minus half of a foot (0.5') from the elevations shown on the approved Tentative Tract Map, the applicant shall submit the proposed grading changes to the City Engineer for a substantial conformance review.
57. Prior to the issuance of a building permit for any building lot, the applicant shall provide a lot pad certification stamped and signed by a qualified engineer or surveyor with applicable compaction tests and over excavation documentation.

Each pad certification shall list the pad elevation as shown on the approved grading plan, the actual pad elevation and the difference between the two, if any. Such pad certification shall also list the relative compaction of the pad soil. The data shall be organized by lot number, and listed cumulatively if submitted at different times.

DRAINAGE

58. Stormwater handling shall conform to the approved hydrology and drainage report for Tentative Tract Map No. 36279. Nuisance water shall be disposed of in an approved manner.

59. The applicant shall comply with the provisions of LQMC Section 13.24.120 (Drainage), Retention Basin Design Criteria, Engineering Bulletin No. 06-16 – Hydrology Report with Preliminary Hydraulic Report Criteria for Storm Drain Systems and Engineering Bulletin No. 06-015 - Underground Retention Basin Design Requirements. More specifically, stormwater falling on site during the 100 year storm shall be retained within the development, unless otherwise approved by the City Engineer. The design storm shall be the 1 hour, 3 hour, 6 hour or 24 hour event producing the greatest total run off.
60. Nuisance water shall be retained on site. Nuisance water shall be disposed of per approved methods contained in Engineering Bulletin No. 06-16 – Hydrology Report with Preliminary Hydraulic Report Criteria for Storm Drain Systems and Engineering Bulletin No. 06-015 - Underground Retention Basin Design Requirements.
61. In design of retention facilities, the maximum percolation rate shall be two inches per hour. The percolation rate will be considered to be zero unless the applicant provides site specific data indicating otherwise and as approved by the City Engineer.
62. The project shall be designed to accommodate purging and blowoff water (through underground piping and/or retention facilities) from any on-site or adjacent well sites granted or dedicated to the local water utility authority as a requirement for development of this property.
63. No fence or wall shall be constructed around any retention basin unless approved by the Planning Director and the City Engineer.
64. For on-site above ground common retention basins, retention depth shall be according to Engineering Bulletin No. 06-16 – Hydrology Report with Preliminary Hydraulic Report Criteria for Storm Drain Systems. Side slopes shall not exceed 3:1 and shall be planted with maintenance free ground cover. Additionally, retention basin widths shall be not less than 20 feet at the bottom of the basin.
65. Stormwater may not be retained in landscaped parkways or landscaped setback lots. Only incidental storm water (precipitation which directly falls onto the setback) will be permitted to be retained in the landscape setback areas. The perimeter setback and parkway areas in the street right-of-way shall be shaped

with berms and mounds, pursuant to LQMC Section 9.100.040(B)(7).

66. The design of the development shall not cause any increase in flood boundaries and levels in any area outside the development.
67. The development shall be graded to permit storm flow in excess of retention capacity to flow out of the development through a designated overflow and into the historic drainage relief route.
68. Storm drainage historically received from adjoining property shall be received and retained or passed through into the historic downstream drainage relief route.
69. The applicant shall comply with applicable provisions for post construction runoff per the City's NPDES stormwater discharge permit, LQMC Sections 8.70.010 et seq. (Stormwater Management and Discharge Controls), and 13.24.170 (Clean Air/Clean Water); Riverside County Ordinance No. 457; and the California Regional Water Quality Control Board – Colorado River Basin (CRWQCB-CRB) Region Board Order No. R7-2008-001.
 - A. For post-construction urban runoff from New Development and Redevelopments Projects, the applicant shall implement requirements of the NPDES permit for the design, construction and perpetual operation and maintenance of BMPs per the approved Water Quality Management Plan (WQMP) for the project as required by the California Regional Water Quality Control Board – Colorado River Basin (CRWQCB-CRB) Region Board Order No. R7-2008-001.
 - B. The applicant shall implement the WQMP Design Standards per (CRWQCB-CRB) Region Board Order No. R7-2008-001 utilizing BMPs approved by the City Engineer. A project specific WQMP shall be provided which incorporates Site Design and Treatment BMPs utilizing first flush infiltration as a preferred method of NPDES Permit Compliance for Whitewater River receiving water, as applicable.
 - C. The developer shall execute and record a Stormwater Management/BMP Facilities Agreement that provides for the perpetual maintenance and operation of stormwater BMPs.

UTILITIES

70. The applicant shall comply with the provisions of LQMC Section 13.24.110 (Utilities).
71. The applicant shall obtain the approval of the City Engineer for the location of all utility lines within any right-of-way, and all above-ground utility structures including, but not limited to, traffic signal cabinets, electric vaults, water valves, and telephone stands, to ensure optimum placement for practical and aesthetic purposes.
72. Existing overhead utility lines within, or adjacent to the proposed development, and all proposed utilities shall be installed underground. Interim improvements shall be designed and constructed as approved by the City Engineer, as well as the appropriate utility provider. All existing utility lines attached to joint use 92 KV transmission power poles are exempt from the requirement to be placed underground.
73. Underground utilities shall be installed prior to overlying hardscape. For installation of utilities in existing improved streets, the applicant shall comply with trench restoration requirements maintained, or required by the City Engineer.

The applicant shall provide certified reports of all utility trench compaction for approval by the City Engineer. Additionally, grease traps and the maintenance thereof shall be located as to not conflict with access aisles/entrances.

CONSTRUCTION

74. The City will conduct final inspections of habitable buildings only when the buildings have improved street and (if required) sidewalk access to publicly-maintained streets. The improvements shall include required traffic control devices, pavement markings and street name signs. If on-site streets in residential developments are initially constructed with partial pavement thickness, the applicant shall complete the pavement prior to final inspections of the last ten percent of homes within the development or when directed by the City, whichever comes first.

FIRE DEPARTMENT

75. For residential areas, provide approved standard fire hydrants, located at each

intersection and spaced 330 feet apart with no portion of any lot frontage more than 400 or 600 feet from a hydrant. Minimum fire flow shall be 1000 GPM for a two-hour duration at 20 PSI.

76. For any buildings with public access i.e. recreational halls, clubhouses, etc. or buildings with a commercial use, i.e. gatehouses, maintenance sheds, etc., minimum fire flow for these areas would be 1500 GPM for a two-hour duration at 20 PSI.
77. Residential fire sprinklers are required in all single-family dwellings per the California Residential Code, California Building Code, and the California Fire Code. Applicants for residential permits in this subdivision must contact the Riverside County Fire Department for the Residential Fire Sprinkler Standard.
78. The required water system, including fire hydrants, shall be installed and accepted by the appropriate water agency prior to any combustible building material being placed on any individual lot. Two sets of water plans are to be submitted to the Fire Department for approval.
79. Fire apparatus access roads and driveways shall comply with Riverside County Fire Department Standard #06-05 (located at www.rvcfire.org). Access lanes will be designed to withstand a weight of 80,000 lbs. over two axles, have a turning radius capable of accommodating fire apparatus, and shall be constructed as an all-weather driving surface.
80. Applicant/Developer shall mount blue dot retro-reflectors pavement markers on private streets, public streets and driveways to indicated location of fire hydrants. Markers shall be 8 inches from centerline to the side that the fire hydrant is on, to identify fire hydrant locations.
81. All structures shall be accessible from an approved roadway to within 150 feet of all portions of the exterior of the first floor.
82. Any turn-around requires a minimum 38-foot turning radius.
83. The minimum dimension for gates is 20 feet clear and unobstructed width and a minimum vertical clearance of 13 feet 6 inches in height. Any gate providing access from a road shall be located at least 35 feet setback from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road.

Where a one-way road with a single traffic lane provides access to a gate entrance, a 38-foot turning radius shall be used.

84. Gates may be automatic or manual and shall be equipped with a rapid entry system (KNOX). Plans shall be submitted to the Fire Department for approval prior to installation. Automatic gate pins shall be rated with a shear pin force, not to exceed 30 pounds. Gates activated by the rapid entry system shall remain open until closed by the rapid entry system. Automatic gates shall be provided with backup power.

LANDSCAPE AND IRRIGATION

85. The applicant shall comply with LQMC Sections 13.24.130 (Landscaping Setbacks) & 13.24.140 (Landscaping Plans).
86. The applicant shall submit final landscape plans for review, processing and approval to the Planning Department, in accordance with the Final Landscape Plan application process. Planning Director approval of the final landscape plans is required prior to issuance of the first building permit unless the Planning Director determines extenuating circumstances exist which justifies an alternative processing schedule.

When plan checking has been completed by the Planning Department, the applicant shall obtain the signatures of CVWD and the Riverside County Agricultural Commissioner, prior to re-submittal for signature by the Planning Director. Landscape plans for landscaped medians on public streets shall be approved by the both the Planning Director and the City Engineer.

Final landscape plans for on-site planting shall be reviewed by the ALRC and approved by the Planning Director prior to issuance of first building permit. Final plans shall include all landscaping associated with this project.

NOTE: Plans are not approved for construction until signed by the appropriate City official, including the Planning Director and/or City Engineer.

87. The final landscape plan submittal shall incorporate the following provisions:
- All Citrus trees, relocated or removed/replaced, shall be an equivalent minimum 24-inch box size (equivalent 2.0 caliper).
 - Both Washingtonia Robusta and Washingtonia Filifera palms shall be planted at the project entry, with every third palm to be of the Filifera species.

- A rip-rap or cobble stone treatment shall be provided in the retention basin at the drywell inlet, to mitigate sediment intrusion to the drywell system.
 - Final landscape plans shall identify that Gazanias, Red Yucca, Blue Elf Aloe and Pink Mulhy shall be at least 2 gallon size.
88. Final field inspection of all landscaping materials, including all vegetation, hardscape and irrigation systems is required by the Planning Department prior to final project sign-off by the Planning Department. Prior to such field inspection, written verification by the project's landscape architect of record stating that all vegetation, hardscape and irrigation systems have been installed in accordance with the approved final landscape plans shall be submitted to the Planning Department.
89. Landscape areas shall have permanent irrigation improvements meeting the requirements of the Planning Director. Use of lawn areas shall be minimized with no lawn, or spray irrigation, being placed within 24 inches of curbs along public streets.
90. The applicant or his agent has the responsibility for proper sight distance requirements per guidelines in the AASHTO "A Policy on Geometric Design of Highways and Streets" or latest edition, in the design and/or installation of all landscaping and appurtenances abutting and within the private and public street right-of-way.
91. Lighting plans shall be submitted with the final landscaping plans for a recommendation to the Planning Director for his approval. Exterior lighting shall be consistent with LQMC Section 9.100.150 (Outdoor Lighting). Any freestanding lighting shall not exceed 18 feet in height, and shall be fitted with a visor if deemed necessary by staff to minimize trespass of light off the property.
92. Any water features shall be designed to minimize "splash", and use high efficiency pumps and lighting to the satisfaction of the Planning Director. Any proposal for renovation or other re-use of the existing water feature at Lot 'F' shall be included in the final landscape plans and water efficiency calculations per Municipal Code Chapter 8.13.

PUBLIC SERVICES

93. The applicant shall provide public transit improvements as required by SunLine Transit Agency and approved by the City Engineer.

MAINTENANCE

94. The applicant shall comply with the provisions of LQMC Section 13.24.160 (Maintenance).
95. The applicant shall make provisions for the continuous and perpetual maintenance of perimeter landscaping up to the curb, access drives, sidewalks, and stormwater BMPs.

FEES AND DEPOSITS

96. The applicant shall comply with the provisions of LQMC Section 13.24.180 (Fees and Deposits). These fees include all deposits and fees required by the City for plan checking and construction inspection. Deposits and fee amounts shall be those in effect when the applicant makes application for plan check and permits.
97. Permits issued under this approval shall be subject to the provisions of the Infrastructure Fee Program and Development Impact Fee program in effect at the time of issuance of building permit(s).
98. Provisions shall be made to comply with the terms and requirements of the City's adopted Art in Public Places program in effect at the time of issuance of building permits.
99. Tentative Tract 36279 shall provide for parks through payment of an in-lieu fee, as specified in Chapter 13.48, LQMC. Based on the requirements of Section 13.48.050 LQMC, the amount of park land required for 11 lots is 0.084 acres. The in-lieu payment shall be based upon this acreage requirement, and on the fair market value of the land within the subdivision. Land value information shall be provided to the Planning Director, via land sale information, a current fair market value appraisal, or other information on land value within the subdivision. Payment of the in-lieu fee shall be made prior to, or concurrently with recordation of the first final map within the tentative map.
100. A fee shall be paid to Riverside County, as required by the County to post the

Notice of Determination and offset costs associated with AB 3158 (Fish and Game Code 711.4). The fee shall be based on the established County fee schedule for filing a Negative Declaration for posting. The fee is to be payable to Riverside County, and is due to the Planning Department within 24 hours of City Council approval.

101. Applicant shall pay the fees as required by the Coachella Valley Unified School District, as in effect at the time requests for building permits are submitted.
102. Permits issued under this approval shall be subject to the Coachella Valley Multi-Species Habitat Conservation Plan/Natural Community Habitat Conservation Plan Mitigation Fee, in accordance with LQMC Chapter 3.34.

PLANNING DEPARTMENT

103. Within 30 days of the initiation of any ground disturbing activity on the project site, the project proponent shall cause a protocol-compliant burrowing owl survey to be completed, submitted to the Planning Department, and approved. Should the species be identified on the site, the biologist's recommendations for relocation shall be implemented prior to the issuance of any ground disturbance permit.
104. An archaeological monitor shall be required to be present during all earth moving activities. The monitor shall be empowered to stop or redirect such activities if resources are identified. The applicant shall provide verification to the Planning Department of the execution of a monitoring contract to perform services prior to any ground disturbance on the site. The findings of the monitoring effort shall be documented in a report delivered to the Planning Department no more than 30 days from the completion of monitoring activities and/or project grading.
105. Excavation, trenching and grading shall be monitored by a qualified paleontological monitor. The monitor shall be prepared to quickly salvage fossils, if unearthed, to avoid construction delays, but shall have power to stop construction to remove large or abundant specimens. Recovered specimens should be identified and curated at a repository with permanent retrievable storage that would allow for further research in the future.

A report of findings, including, when appropriate, an itemized inventory of recovered specimens and a discussion of their significance, shall be prepared.

The report and inventory shall be submitted to the City within 30 days of the completion of earth moving activities on the site.

106. The following mitigation measure is required for compliance with interior and exterior noise level thresholds:
 - All perimeter homes adjacent to Madison Street shall have central air conditioning as a standard feature, and should be equipped to provide 60 CFM of supplemental ventilation in any rooms directly facing Madison Street.
107. A final acoustical analysis shall be completed and submitted for review at time of building permit plan check for each proposed dwelling unit along Madison Street, based on final lot layout and pad elevations, to demonstrate that the City's standards for interior and exterior CNEL levels will be met and that the existing Madison Street wall will adequately mitigate noise levels.
108. Review of architecture and landscaping for production and/or individual custom homes, shall be subject to Title 9, Section 9.60.330 and 9.60.340, LQMC, as applicable. The Planning Director shall determine if the unit(s) applied for constitute custom homes or production-level units. Any custom home design guidelines that may be required shall be reflected or referenced in the CC&R's for TTM 36279.
109. For any new and existing walls or wall sections, including any proposed sound walls, entry wall areas, and property line walls, a master wall plan shall be subject to review and approval by the Planning Department. The master wall plan shall specify colors and materials to be used for all existing and proposed walls, capping, pilasters, entry monuments, planters, and any other such features, as may be applicable.
110. For all lots, any structure or portion thereof, located within 150' of the Madison Street ROW, 150' of the west perimeter property line, or 40' of the north perimeter property line shall not exceed 22' in height except as noted in Condition #112 regarding Lot 6.
111. Street name approval shall be required for Evangeline Way, as proposed on the Tentative Tract Map exhibit. Street name(s) shall be reviewed by the Planning, Public Works, and Fire Departments at or prior to final map plan checking.

112. Lot 6 of the Tentative Tract Map exhibit includes an accessory building that has previously been used as an equipment and storage garage for various purposes. It has been determined that the building was legally permitted, and can be retained. However, no expansion of the structure's use is permitted until the Building and Safety Department has conducted a Special Inspection to determine if the building is structurally sound and in compliance with applicable building codes, as determined by the Building and Safety Director. At that time, the building must also meet all otherwise applicable zoning regulations pertaining to the underlying zoning district(s). As this building is considered a legal pre-existing structure, only zoning standards not related to structural development standards, such as lot coverage, shall be enforced, provided that no structural expansions or substantial alterations to the structure are undertaken. Nothing in this condition shall be construed as precluding the applicant/owner of Lot 6 from demolition or removal of the structure, at his/her discretion.
113. The existing entry wall signs shall be submitted for sign permit review, in accordance with the sign application procedures, and shall be shown to conform to requirements of Chapter 9.160 (Signs) of the LQMC. Signs found not in conformance with the City sign regulations shall be removed and/or modified, based on the sign permit application provisions.

